



Prisoners' Rights Project
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Via ECF

April 3, 2017

The Honorable Laura T. Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10006

Blaine (Fin) V. Fogg
President

Seymour W. James, Jr.
Attorney-in-Chief

Justine M. Luongo
Attorney-in-Charge
Criminal Defense Practice

Re: Nunez, et al. v. City of New York, et al., 11-cv-5845 (LTS) (JCF)

Mary Lynne Werlwas
Project Director
Prisoners' Rights Project

Dear Judge Swain:

We write regarding proposed extensions to the deadlines for Direct Supervision, Probe Team and Cell Extraction Team staff training programs and development of the Case Management System required under the *Nunez* Consent Judgment, as set forth in the letter filed today by the Monitor.

Under the Consent Judgment, the City was obligated to complete Direct Supervision Training by August 1, 2016, and Probe Team and Cell Extraction Team Trainings by November 1, 2016. We consider these trainings, and Direct Supervision Training in particular, to be critical to violence reduction in the City jails. Direct Supervision Training will provide staff assigned to work regularly in young inmate housing areas with the tools necessary to build relationships with the young people incarcerated there, identify and deal with problems in their early stages, and encourage positive behavior. Since the Consent Judgment was entered, we have seen use of force incidents rise among this population, making the need for this intervention even more dire. The fact that the deadline to *complete* Direct Supervision training was seven months ago, but the City has not even *started* the training, raises serious compliance concerns.

However, we remain mindful of the significant other training requirements that the City agreed to undertake in the Consent Judgment. We also recognize that given the current state of reform efforts, it would not be fruitful to redress this course of events through enforcement proceedings. In deference to the Monitor's conclusion that the proposed new deadlines represent a realistic and reasonable path forward from where find ourselves today, we consent to the extensions the Monitor requests. Barring unforeseen circumstances, however, we note that we would consider further material delays to these trainings to be of grave concern.

Very truly yours,

/s/ Mary Lynne Werlwas

Mary Lynne Werlwas

Counsel for *Nunez* plaintiff class

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